



Armed Forces Act 2011

2011 CHAPTER 18

Armed forces covenant report

2 Armed forces covenant report

After section 343 of AFA 2006 insert—

“PART 16A

ARMED FORCES COVENANT REPORT

343A Armed forces covenant report

- (1) The Secretary of State must in each calendar year—
 - (a) prepare an armed forces covenant report; and
 - (b) lay a copy of the report before Parliament.
- (2) An armed forces covenant report is a report about effects of membership, or former membership, of the armed forces on service people, or particular descriptions of such people—
 - (a) in the fields of healthcare, education and housing;
 - (b) in the operation of inquests; and
 - (c) in such other fields as the Secretary of State may determine.
- (3) In preparing an armed forces covenant report the Secretary of State must have regard in particular to—
 - (a) the unique obligations of, and sacrifices made by, the armed forces;
 - (b) the principle that it is desirable to remove disadvantages arising for service people from membership, or former membership, of the armed forces; and
 - (c) the principle that special provision for service people may be justified by the effects on such people of membership, or former membership, of the armed forces.

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 2011, Cross Heading: Armed forces covenant report. (See end of Document for details)

- (4) For the purposes of preparing an armed forces covenant report, the Secretary of State must obtain the views of any relevant government department, and seek the views of any relevant devolved administration, in relation to the effects to be covered by the report.
- (5) An armed forces covenant report must—
 - (a) set out in full or summarise the views of a relevant government department or relevant devolved administration obtained pursuant to subsection (4); and
 - (b) where the views of a relevant devolved administration have been sought but not obtained, state that fact.
- (6) The Secretary of State may not include in an armed forces covenant report a summary under subsection (5)(a) unless the relevant government department or relevant devolved administration has approved the summary.
- (7) An armed forces covenant report must state whether, in the Secretary of State's opinion, any effects covered by the report are such that service people or particular descriptions of service people are at a disadvantage as regards the field or fields in question, when compared with other persons or such descriptions of other persons as the Secretary of State considers appropriate.
- (8) Where the Secretary of State's opinion is that service people or particular descriptions of service people are at a disadvantage as mentioned in subsection (7), the report must set out the Secretary of State's response to that.
- (9) As regards effects covered by an armed forces covenant report—
 - (a) the Secretary of State must consider whether the making of special provision for service people or particular descriptions of service people would be justified; and
 - (b) where the Secretary of State considers that such provision would be justified, the report must contain a reference to that fact.
- (10) In relation to any particular description of service people covered by a report, the reference in subsection (2)(a) to the fields of healthcare, education and housing is to such of those fields as the Secretary of State considers are ones in which people of that description are affected by membership or former membership of the armed forces.

343B Interpretation of Part

- (1) In section 343A “service people” means—
 - (a) members of the regular forces and the reserve forces;
 - (b) members of British overseas territory forces who are subject to service law;
 - (c) former members of any of Her Majesty's forces who are ordinarily resident in the United Kingdom; and
 - (d) relevant family members.
- (2) In section 343A “relevant government department”, in relation to an effect to be covered by an armed forces covenant report, means a department of the Government of the United Kingdom (apart from the Ministry of Defence) which the Secretary of State considers has functions relevant to that effect.

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- (3) In section 343A “relevant devolved administration”, in relation to an effect to be covered by an armed forces covenant report, means whichever of the following the Secretary of State considers to have functions relevant to that effect—
- (a) the Scottish Executive;
 - (b) the Northern Ireland departments;
 - (c) the Welsh Assembly Government.
- (4) In this Part—
- “British overseas territory force” means any of Her Majesty's forces that is raised under the law of a British overseas territory;
- “membership or former membership” of a force, in relation to a person, includes any service in that force that that person is undertaking, undertook or may be expected to be called on to undertake;
- “relevant family members” means such descriptions of persons connected with service members, or with persons who were service members, as the Secretary of State considers should be covered by a report or part of a report;
- “service member” means a person who falls within any of paragraphs (a) to (c) of subsection (1).
- (5) Any reference in this Part to membership or former membership of the armed forces is to be read, in relation to a person who is—
- (a) a service member, or
 - (b) a relevant family member by reason of connection with a person who is or was a service member,
- as a reference to the service member's membership or former membership of a force mentioned in subsection (1).”

Commencement Information

II S. 2 in force at 2.4.2012 by S.I. 2012/669, art. 4(a)

Changes to legislation:

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